

BOARD OF MAYOR AND ALDERMEN

May 7, 2002

7:30 PM

Mayor Baines called the meeting to order.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Wihby, Gatsas, Guinta, Sysyn, Osborne, Pinard, O’Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Mayor Baines asked that Linda Persons from the Muscular Dystrophy Association and Eric Sawyer to come up for this proclamation. I’d like to acknowledge Eric Sawyer...a lot of the Board members have gotten to know Eric, he’s become a very close personal friend of mine and an advisor on a lot of issues, but one of the things that Eric has done in his role since he’s come back to Manchester...he’s a graduate of Memorial High School Class of 1970, but he has really helped us and I know he worked with Alderman Gatsas and other Aldermen on the exemption for people with disabilities, he’s trying to get us to think...the first time I met Eric he said let’s talk about people with disabilities and include them in services for our community and he’s done an awful lot to promote this effort and it’s really in his honor that we’re making this proclamation this evening because Eric suffers from ALS which a lot of people remember as Lou Gehrig’s disease and I’d like to issue this proclamation:

PROCLAMATION

- Whereas, May is National Amyotrophic Lateral Sclerosis Awareness Month; and
- Whereas, ALS known by many as Lou Gehrig’s disease, is a progressive neurodegenerative disease that attacks nerve cells in the brain and spinal cord; and
- Whereas, ALS is a particularly cruel disease that eventually leads to total paralysis and certain death – usually within five to seven years of diagnosis; and
- Whereas, Fifteen people in the United States are diagnosed each day with ALS; and
- Whereas, the victims of the disease will benefit greatly from the public’s understanding of the disease and its support for a cure,

I, Robert Baines, by the power vested in me as Mayor of Manchester,
do hereby proclaim May 2002 to be

ALS AWARENESS MONTH in MANCHESTER

Mayor Baines stated I call upon all of our citizens to be aware of the tremendous roll that each of us can play in finding a cure to ALS and other diseases that are fought so valiantly by the MDA Association represented by Linda Persons here today and please join with me in acknowledging the fine work of MDA and people like Eric who keep that issue before us each and every day and tell us to reach within our hearts and our souls to reach out and help those in need of our assistance. And, also Eric's recognition that people while suffering from this disease can also contribute in immeasurable ways to the community. A day hardly goes by that I don't get an E-mail from Eric on some subject of importance...I included him on the School Building Committee and he has a lot of opinions on issues and I thank you for his commitment and I'd like the Board and the public to acknowledge him today for his efforts and present this Proclamation to him.

Mr. Sawyer stated there is some gentleman sitting here in uniform...I want to greatly thank you...when I come to think of Firemen I think of a few things is that Manchester Firemen brought back my dad who had been pronounced dead due to their tenacity. I also recognize your tenacity every Memorial Day and they're out there passing a boot for MDA, I can't remember a year that you haven't passed a boot for MDA and as one of the persons that attends MDA clinics it's greatly appreciated on my side. I can tell you all that if you have one of the 40 neuromuscular diseases that MDA takes care of...when patients go to MDA clinics there is absolutely no out-of-pocket expense and the City is very fortunate to have one of the MDA clinics within its boundaries. Thank you very much.

Mayor Baines stated we are going to pass out pins, MDA/ALS division would ask you to wear to promote understanding of this disease.

Mayor Baines called upon Chief Kane and Bob Welch to make a presentation along with other members of the Manchester Fire Department and it's a proud day for the Manchester Fire Department...they're having their annual meeting of the Professional Firefighters Association and their international president was here in Manchester today to deliver quite a compelling speech about firefighters and their needs and I was very proud to be part of that today.

Chief Kane stated thank you Mayor and the Board for having us here. I believe that Bob has a presentation for you from the City of New York.

Mr. Welch stated I'd like to thank the Mayor and the Board of Aldermen for allowing us here tonight. On September 11th a great loss was felt in our country but firefighters...we're a big family, we have brothers/sisters throughout this country and on that day we watched in horror as the towers came down and we knew that our brothers and sisters were inside there doing what their job was going to be. Then, the Mayor with the Chief called us in March and said that we were going to meet a new brother, one that we hadn't met before from New York City along with the Mayor and the mayors throughout the country. On March 1, 2 & 3

we had Mike Ferzey from Engine 97 came to Manchester...myself, Lt. Bruce Phillips, Captain Mark Pelletier along with the Chief and the Mayor showed Mike and his wife a good time up here in New Hampshire, showed them what the culture was about...we showed them such a good time that he's already come back once and has a summer home listed for the summer, but we've gone down to New York to his fire house, met with them so we have a new brother, a new friend that we have made and I'd just like to thank the Mayor for all he did, all of the Aldermen, the members and the citizens of Manchester and from Engine 97 in the New York Fire Department we have a plaque that we would like to present to the Mayor and to the Aldermen and to the citizens of Manchester.

Mr. Welch stated this is presented to Mayor, Robert A. Baines, City of Manchester, New Hampshire. In appreciation for your hospitality and support you have shown to Firefighter Verzey and the citizens of New York City. Respectfully from the officers and the members of Engine Company 97, City of New York Fire Department.

Mayor Baines stated I thank you very much for that presentation, it was an honor for us to show our hospitality to Mike and his wife and I didn't realize he had been back already, that's fantastic.

3. Presentation of Proclamation to US Postal Service Letter Carriers commemorating their Annual Canned Goods Drive.

Mayor Baines called upon Russ Ouellette of the School Board to come forward and I think it would be appropriate of Mike Lopez to join with me since he spent a career with this program and this profession.

PROCLAMATION

- Whereas, this weekend marks the tenth annual National Association of Letter Carriers stamp out hunger food drive; and
- Whereas, citizens across the City of Manchester will join with American across the country by placing canned goods at their doors for their letter carriers to receive, and
- Whereas, the efforts of the letter carriers will make this weekend on behalf of the less fortunate among us merely extensions of the dedication to public service they demonstrate on a daily basis, and
- Whereas, their effort should serve as an example to all the necessity of giving back to the community in which they live and work,

I, Robert Baines, by the power vested in me as Mayor of Manchester,
do hereby declare Saturday, May 11th to be

**NATIONAL ASSOCIATION OF LETTER CARRIERS
STAMP OUT HUNGER DAY**

in Manchester and urge all citizens of our City to participate by placing canned goods by their doors that morning.

Mayor Baines stated I present this to you Russ and ask you to make a few statements on behalf of this program.

Mr. Ouellette stated as the Mayor stated this Saturday, May 11th we'll be marking our tenth anniversary that the Manchester letter carriers under the leadership of Mike Lopez...this was an idea that came from a national convention that year and Mike brought it back to our letter carriers locally in the City. We ask all citizens to place non perishable food items...we as letter carriers see the need in our community. We go to every door, every day in the City of Manchester and it's not surprising to me who we feel...we're kind of the keepers of the neighborhood, if you will, when you're on vacation we watch your house, when your sick we visit you, we comfort you, so we feel that the community and the National Association of Letter Carriers is very important to us and that's why we get involved. Last year, through the nation they raised 70 million pounds of food in one day. This is a one day food drive and in Manchester alone...that stays in the community it's important to note that we raised about 34,000 pounds of food in one day for the Food Bank. The coming summer months are the crunch time for our food banks...the school children are out in the summer and there's a real crunch need because the Title I Programs aren't running through the summer and food pantry's are very bare and this year with the economy being the way it is the corporate donations are down as well. So, it's important that we pull together and I thank you, your Honor, for your continued support of the Letter Carriers Food Drive and also the community for their continued support as well, thank you.

Mayor Baines stated we'd like to urge members of the community to participate perhaps in the greatest way we ever have this Saturday.

4. Presentation by Helen Closson updating the Board on the progress of the Hands Across the Merrimack Pedestrian Bridge project.

Mayor Baines noted that the presentation was made prior to the Public Participation session this evening.

5. Presentation by Jeff Eisenberg regarding the Manchester Monarchs Inaugural Season.

Mayor Baines stated we did try, very hard, just so the Board knows and the public knows we worked very hard right after the playoffs to try to schedule a rally at City Hall Plaza and we worked very hard to make it happen...we were unable to do so because members of the team immediately...a lot of them went to LA and started to disperse across the country, but this has been a very exciting season here in Manchester with the Monarchs and Jeff has done an absolutely phenomenal job of becoming a part of the community and promoting the

Monarchs and it's become a great pastime for our City and I know Jeff wanted some time to thank the community and make a presentation.

Mr. Eisenberg stated wow, what a year. When we came we thought we had a pretty good market here, no one told me it was the best hockey market in the country, though, you didn't tell me that part. But, it really is. It was a phenomenal year...we were embraced by the community in a way that we never could have dreamed or even hoped. It exceeded all of our expectations and we hope we've started kind of a long love affair, we plan on it that way and it truly is an honor and a privilege to operate our team here, a lot of risk was taken by the City, by SMG and frankly by the Los Angeles Kings to come in and it's just an been over-the-top success, so on behalf of the Lost Angeles King I would like to make a little presentation and this is actually to the citizens of Manchester because they are the ones who have really come out and supported us and it's presented to the Board of Mayor and Aldermen for the citizens. It reads:

Manchester Monarchs
2001-2002 Inaugural Season
To the Citizens of Manchester
Thank You...

For all of your commitment and support in making professional hockey a reality in Manchester. Without you it would not have been possible to achieve such a successful inaugural season. We are proud to call Manchester our home.

Mr. Eisenberg stated this is a framed and maybe you'll find a nice place for it and again thanks to all of you very much for a tremendous year and many more to come.

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Minutes Accepted

- A. Copies of minutes of meetings held on March 27, 2002 (two meetings); April 2, 2002 (two meetings); April 10, 2002; April 15, 2002 (two meetings); and April 16, 2002.

Ratify and Confirm Poll Conducted

- B. Approving the closure of Notre Dame Avenue, between Putnam and Amory Street, on Saturday, May 4, 2002 from 5:30 AM until 12:00 PM in conjunction with the annual Catholic Medical Center Community Challenge 5K Race. (Aldermen Gatsas, Guinta, Sysyn, Osborne, Pinard, O'Neil, Lopez, Shea, Garrity, Smith and Forest voted yea. Aldermen Wihby, DeVries and Thibault unable to be reached at the time.)

Informational – to be Received and Filed

- C.** Communication from the Deputy City Clerk advising that there is currently a need for the Board of Aldermen to nominate appointments to the Conduct Board as outlined.
- D.** Communication from the Deputy Finance Officer submitting Quarterly Financial Reports, CIP/Federal & State Revenue Report, and Treasurer's Report for the nine months ended March 31, 2001.
- E.** Communication from the Commissioner of the State Department of Transportation advising of contemplated Awards.
- F.** Communication from AT&T advising of program changes effective May 15, 2002.

REFERRALS TO COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- G.** Petition for rezoning of Map 712/Lots 2 and 3 Hazelton and Brown Avenues submitted by Attorney Lazos on behalf of the King Family Trust.
- H.** Petition for rezoning of Map 711/Lot 2, Map 712/Lot 1A, and Lot 1 @ Pettinghill Road and Brown Avenue submitted by Attorney Lazos on behalf of the King Family Trust.

COMMITTEE ON FINANCE

- J.** Communication from Mrs. Pauline Gatsas on behalf of the Gatsas Family announcing the establishment of the Dr. Louis T. Gatsas Memorial City Track Meet, and seeking a contribution towards two scholarships to be awarded or the purchase of an advertisement in the program book for the First Annual Meet to be held on May 18, 2002.
- K.** Bond Resolutions:
 - “Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million Six Hundred Forty thousand Dollars (\$3,640,000) for the 2002 CIP 310402, School Capital Improvement Program.”
 - “Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the 2002 CIP 511402, Derryfield Park Rehabilitation Program.”
 - “Authorizing Bonds, Notes or Lease Purchases in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) for the 2002 CIP 511502, School Site Improvements Program.”
 - “Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the 2002 CIPO 714202, Annual ROW Reconstruction Program.”
 - “Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thousand Dollars (\$200,000) for the 2002 CIP 714302, Bridge Rehabilitation Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thirty Thousand Dollars (\$230,000) for the 2002 CIP 714402, Sidewalk Improvement Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Six Hundred Thousand Dollars (\$600,000) for the 2002 CIP 811402, City Motorized Equipment Replacement Program.”

“Authorizing Bonds, Notes, or Lease Purchases in the amount of Two Million Seven Hundred Fifty thousand Dollars (\$2,750,000) for the 2002 CIP 811502 Municipal Facility Building Acquisition Project.”

“Authorizing Bonds or Notes in the amount of Nine Million Dollars (\$9,000,000) in furtherance of the Manchester Airport Capital Improvement Program.”

L. Resolutions:

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Five Million Nine Hundred Forty Thousand Dollars (\$5,940,000) to provide for expediting of various FY2003 proposed CIP Projects.”

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) for FY2002 CIP 811502 Municipal Facility Building Acquisition Project.”

REPORTS OF COMMITTEES

**COMMITTEE ON ACCOUNTS, ENROLLMENT
AND REVENUE ADMINISTRATION**

- M.** Advising that it has accepted the monthly financial statements for period ending March 31, 2002 and is forwarding same to the Board for informational purposes.
- N.** Advising that it has accepted the accounts receivable write-offs for the third quarter, and is submitting same to the Board for approval.
- O.** Advising that it has accepted the auditor’s report regarding Tax Abatements and is submitting same for informational purposes.

COMMITTEE ON COMMUNITY IMPROVEMENT

- P.** Recommending that the Municipal Facility Building Acquisition Project be expedited from the proposed FY2003 CIP and appropriated in the FY2002 CIP to accommodate purchase of the Carol M. Rines Center; and for such purpose an amending resolution, bond resolution and budget authorization have been submitted.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- S.** Recommending that a request of HippoPress for the closure of Hanover Street, between Elm and Chestnut Streets, on Sunday, May 19, 2002 from 9:00 AM to 11:00 AM in order to conduct a photo shoot for the promotion and publicity of the City’s 2nd Annual Jazz and Blues Festival be granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Departments.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN SMITH, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- I.** Communication from Sherry Chakrin seeking financial assistance from the City to assist students from Manchester West High School Destination ImagiNation in attending the Global Finals in Knoxville, Tennessee on May 22, 2002.

Alderman Thibault stated I wonder if there is anything at all that the Board could do in order to help the West High program that was asked of us here tonight. I know that in the past we have helped different schools or organizations that achieved greater heights than expected. I just wondered if there is anything that the Board could do through contingency or through whatever way as some kind of a donation to help them get over the top of where they're at. They've already raised, as I understand, three-quarters of the money. I think it's a great thing for the City of Manchester to have, to be out there and the rest of the country knowing that we support our kids. Is there anything that could be done, your Honor, through contingency?

Mayor Baines asked, Mr. Sherman, do you have any advice for the Board. Have there been some policies in the past developed by the Board regarding civic contributions of this nature.

Mr. Sherman replied it's gone from board to board. The Board used to make a lot of these similar type contributions and when times got lean they cut back. But, right now, there is \$6,900 left in the civic contribution account of which six thousand is kind of pre-encumbered here pending the graduation issue that's on the agenda tonight, so that leaves about \$900 if the Board wished to do something.

Alderman Forest moved to donate \$150.00 for the Manchester West High School Destination ImagiNation. Alderman Thibault duly seconded the motion.

Mayor Baines stated this was a referral to the Committee on Finance. Can we do this, Carol.

Deputy Clerk Johnson replied it was listed as a referral to the Committee on Finance because typically Finance Committee will report out, they usually look at it and then report it out. If the Board wants to act on it here certainly there's no rule that prohibits it.

Mayor Baines stated I will accept the motion and called for a vote on the motion. There being none opposed, the motion carried.

Mayor Baines stated what I might suggest to the Board in the future. We have a process where requests of this nature might go to a committee of the Board perhaps to develop some guidelines for civic contributions.

Deputy Clerk Johnson stated rather that the Committee on Finance the Board could choose another committee to review those items.

Mayor Baines stated we can talk about this, I think we need some guidelines and directions for people asking.

Deputy Clerk Johnson stated perhaps the Committee on Administration could look at that.

Report of the Committee on Human Resources/Insurance:

- Q. Recommending that a proposed ordinance amendment:
“An Ordinance amending Section 33.049 Special Merit Pay Increases by changing the requirements of how they shall be granted.”
be denied.

Alderman Shea referred this item to Deputy Clerk Johnson.

Deputy Clerk Johnson stated this item was removed at the request of the Clerk. At the last meeting of the Committee on Human Resources they actually had intended to delete Section 33.049 Special Merit Pay Increases, so what we have done is prepared a report and we’re looking to substitute the report that was distributed to the Board for the report that appears on the agenda and the report would now read:

Report of the Committee on Human Resources/Insurance:

Advising that is has reviewed an ordinance amending Sections 33.049 Special Merit Pay Increases of the Code of Ordinances of the City of Manchester by deleting said section in its entirety and recommends that same be referred to the Committee on Bills on Second Reading for technical review.

Alderman Shea moved to accept, receive and adopt the substitute report of the Committee on Human Resources. The motion was duly seconded by Alderman Lopez. There being none opposed, the motion carried.

Report of the Committee on Human Resources/Insurance:

- R. Recommending that the Youth Services Director position be reclassified from a Grade 26 to a Grade 23, and further that an ordinance amendment, as enclosed herein, be referred to the Committee on Bills on Second Reading for technical review. The Committee notes that such recommendation is based on the results of a review of the position, and recommendations made by the Human Resources Director.

Alderman Gatsas stated I believe there is somebody in that position now, are they receiving the pay grade of 26?

Ms. Lamberton replied yes. There is an individual who is on a temporary promotion in that position.

Alderman Gatsas asked are they going to continue to receive the 26?

Ms. Lamberton replied if you read the letter the whole point of this is that the position is technically vacant. The Mayor wants to announce the position and interview individuals. The incumbent in the position, if she is not selected would return back presumably to her former position, a position she is temporarily promoted from.

Alderman Gatsas stated my question is that from the time of today until the adoption or until a new person is hired will she reduce to a pay grade 23 or is she staying at a 26?

Ms. Lamberton stated I presume the day that reallocation downward is adopted, at that point in time, the salary would be adjusted according to the level of compensation for that position.

Alderman Gatsas stated so we are taking an individual that's been there some 25 years, stepped up and asked her to take this position and while she's taking this position we are now going to downgrade her.

Ms. Lamberton stated we are downgrading a position, not an individual.

Alderman Gatsas stated I understand that but I would think that that position with somebody that's been there for 25 years...we've changed some of the parameters of that position, haven't we? Haven't we lessened the degrees that you need or the education that you may need?

Ms. Lamberton replied not the education. I'm recommending that the special certification not be a part of the requirements for the position.

Alderman Gatsas asked is there a particular reason why?

Ms. Lamberton replied for a couple of reasons. One is the position is the Director position. There is another individual in the department who is responsible for performing the License Alcohol and Drug Abuse (LADAC) responsibilities. There is, frankly, a shortage of LADAC's in this area and you would limit your applicant pool today and in the future if you leave that special qualification in there and the individual in the position is an administrator, the person is not a clinician. A clinician would be performing the LADAC responsibilities.

Alderman Gatsas stated do you know...I think we had a conversation a few weeks ago in regard to what comparable positions in different communities are bearing, do you know what the comparable positions in Nashua, Keene or Portsmouth are compared to this level?

Ms. Lamberton replied when I'm looking at a position, I'm analyzing the position within our environment within our current salary matrix, within our classification plan, our point factors and then in relative terms to the other department heads. I am not looking to see how much the positions, if any of them are identical which they probably aren't in any other environments...right now, I'm looking within the City, how is the level of this pay in relationship to what other departments at that grade are compensated along with their levels of responsibilities and their programmings.

Mayor Baines stated, Alderman Gatsas, can I ask Alderman Lopez because this was passed by his committee to make some comments.

Alderman Lopez stated yes this was passed by our committee and without repeating what the HR Director said she has informed us of everything she did say and I think it's a case of responsibility and if you look in your book and the structure of all of the department heads, I think one of the major things we looked at is being a Grade 26 supervising eight positions and the Tax Collector being 25 supervising 14 positions as an example. There are other examples as you go there. I think the most important thing is this was not a person that was the Grade 26 and I agree with you, Alderman Gatsas, she stepped up and took the acting director's position. I think now that the Mayor is asking the HR Director to fill that position and she has done her matrix system or whatever you want to call it and all the data is in there in reference to that particular position as she has indicated. She is recommending and she recommended to the committee and we're recommending to the Board and I hope the Board passes this so we do not...if we are going to streamline this is the time we have to streamline to make sure that we bring down some of these positions that was over graded.

Mayor Baines asked do you wish to make that a motion.

Alderman Lopez moved to accept, receive and adopt the report of the committee. Alderman Shea duly seconded the motion.

Alderman Guinta asked did the committee take into consideration the April 25th letter that was submitted by the acting director and if so what bearing did that letter have on the decision of the committee.

Alderman Lopez replied the committee did not take it as a body but each Alderman received it and some comments were made. The HR Director did look into it and she can bring you up-to-date on that letter and I believe...I can only speak for myself that this is one Alderman who supports her decision to bring it down to 23.

Mayor Baines asked, Ms. Lamberton, would you like to respond.

Ms. Lamberton asked are you familiar with point factor systems at all, it's like weighting a job. Someone may be responsible to do something but at what level and what complexity, at what independent action, what impact does it have on this area versus the City versus more than the City, it's a whole process that you use. The acting director...I read the letter, I didn't find that any of the comments that she made influenced the point factor assignments that I had determined were appropriate.

Alderman Guinta asked what about the bold comments in that letter.

Ms. Lamberton asked which ones are you referring to?

Alderman Guinta replied in the second paragraph. Let me rephrase the question, does a point factor system take into consideration all of the tasks that are involved within a director's responsibilities?

Ms. Lamberton replied yes it does.

Alderman Guinta asked so the bold notation in that letter was that addressed?

Ms. Lamberton replied yes. I sat down with the acting director and I went through the job classification each and every responsibility asking do you do this, how do you do this, no I don't do that, yes I do do this and at different levels and how does that impact which is part of my letter to the HRIC Committee is what I identified, I recommend this because of this and this because of that and so each one of essentially her rebuttals to my letter I am very comfortable with my letter.

Alderman Guinta stated you sat down with her prior to April 25th or after April 25th.

Ms. Lamberton stated I believe the letter was prepared by the acting director subsequent to the HRIC Committee meeting, I believe that we got it a few days after that.

Alderman O'Neil stated I apologize that I haven't followed this more closely but I have some concern about eliminating the requirement of what used to be called CADAC at one point, I guess it's LADAC or another phrase now. One of the things that several of us were involved with and Alderman Wihby goes back to the days with the Employee Assistance Program and the reason that that position was assigned to Youth Services was because they had certified drug and alcohol counselors to back up the AP Coordinator of which Mr. Lemaire and I believe Judy Cooper were the two at the time that were the two primary backups although there might have been other staff that I am not aware of that were certified.

In my opinion, there is a direct tie between the EAP program and the Youth Services Director it's not a traditional tie organizationally but the bottom line is we have one of the most successful EAP programs around and it's been used as a model in other communities. So, I think if one of the basis for dropping the grade was that we don't need the certification, I would ask the Human Resource Director to possibly revisit that and maybe try to get a little better feel for the importance for the director's position with regard to the EAP program. I, secondly, to the best of my knowledge know that Mr. Lemaire and Laurel in her position as the acting director...they do provide hands on because I'm aware of kids they work with hands on, so I don't think they're exclusively administrators. I think because of the size of the department that the director is required to be a hands on person, so I might suggest that we just ask staff and the committee to maybe take a look at this again just to confirm those two items anyway.

Mayor Baines asked, Ms. Lamberton, do you wish to respond?

Ms. Lamberton replies yes. First of all, with all due respect, your EAP program has an administrator and when an employee has problems the EAP individual refers the employee's outside of the system. You don't have employees going to other employees within a system for counseling and treatment. So, Tom Jordan...

Alderman O'Neil interjected that is not what I said. What I said was the current EAP person is one person and can't work 365 days a year. He has vacation like other people, he's required time off so the Youth Services people have been the back up people for the Employee Assistance Program and the director was one of those people; that is what I said. It wasn't that the EAP referred the employees to Youth Services, the Youth Services staff has been and, I believe, still is the back up to the EAP Coordinator.

Ms. Lamberton stated that is correct but again, with all due respect, you're assuming that every employee has an alcohol or drug problem. The LADAC licensure is specifically to do an evaluation on alcohol or drug abuse, so that's one thing. I know because we end up helping pay through the health insurance and reimbursement and what not when we send our employees to other providers outside of our environment. Your second comment about the removal of the LADAC certification, a direct impact on the salary grade, the answer is no. The salary grade...the point factor system deals with the education factor which this position requires a Master's Degree and the second factor is years of experience. Neither one of those factors were affected by the change in grade.

Alderman Wihby stated I just want to get to understand where we were...Ginny, what you did was the second person in charge was making a Grade 20, so now that person is making a 26.

Ms. Lamberton reiterated that person is temporarily promoted to a 26.

Alderman Wihby stated now once we pick somebody, once a new director is picked and let's say it's not her that person would make it a 23 and the deputy would go back to a 20.

Ms. Lamberton replied correct.

Alderman Wihby stated if it was her she would then go from a 26 to a 23, but not until a new person was coming in.

Ms. Lamberton stated whatever you want. It's up to you.

Alderman Wihby stated I don't think we should cut her until there's a new person.

Mayor Baines interjected I would suggest that if we're going to approve this we make it effective with the naming of the new director and I think it could be added as an amendment to that.

Alderman Lopez stated I have no problem with that.

Mayor Baines asked does anybody want to move it as an amendment.

Alderman Wihby moved to amend the report to make the change effective with the naming of a new director. Alderman Shea duly seconded the motion.

Mayor Baines stated I would like discussion just on the amendment so that we can get it attached to the report and then we can put it as a whole.

Alderman Guinta stated that still doesn't specifically address the issue of if this person moves from acting director to director she still goes from a 26 to a 23.

Ms. Lamberton stated the ordinances address that as far as if an employee is moving downward in the system what their level of pay would be. So, she would be better off than she was had she maintained the salary grade 20 position, if she'd never taken a temporary promotion she'd be better off in the long run than she would have been. She may end up taking somewhat of a cut in pay but again...

Alderman Guinta stated your point is it's higher than she was at 20 and I understand that but you go from 20 to 26 back to 23 it just seems odd.

Mayor Baines stated they reclassified the position and...

Alderman Guinta interjected it hasn't been done yet, we're trying to do that.

Mayor Baines stated your Personnel Director has looked at it, has made a recommendation and the committee has supported it because it does not feel that that position should be classified at that level. We do change classifications of positions when they're asked to be reviewed...that is all that's happened here and this is not...it's unusual because somebody is going down but reclassifications of positions is part of her job.

Alderman Gatsas asked is the current director or interim direct LADAC certified?

Ms. Lamberton replied yes she is.

Alderman Gatsas stated so we're taking somebody that's LADAC certified that is in that position now and we're looking to change those qualifications to lower that pay grade. When I look at the matrix that you've given me here and with somebody dealing with youth services...troubled youth services...we're looking to reduce that grade and reduce the qualifications of that person, that doesn't make sense to me.

Ms. Lamberton stated first of all, I think you're just looking at one part of it. I think you need to look at the whole picture, I think you need to look at the number of youth that are seen per year and divide that by the number of employees which my numbers say four (average) for each employee for a week...secondly, if you're talking about how many programs is this director position responsible for and I'm looking at positions. I do not look at people. If you start to mix those two together you never have a system where you're rating positions, you're dealing with people not positions. You pick people based on their qualifications.

Alderman Gatsas asked when you met with this lady did you tell her that you were there for review of the position?

Ms. Lamberton replied I told her I was there to review the job classification because the Mayor had decided that he was going to announce the position and move forward with filling it.

Mayor Baines called for a motion on the amendment to make it effective with the naming of a new director. The motion carried with Alderman O'Neil duly recorded in opposition.

Mayor Baines stated there is a motion on the floor to accept, receive and adopt the report of the Committee on Human Resources/Insurance as amended.

Alderman O'Neil stated I think Ginny has been a god send to the City and I really and truly mean that and I'm saying that publicly and I've said that to her privately. She's a great asset to the City, but I just think this needs a little more work. I don't think Youth Services is the

type of department that you can say they see an average of four kids a week because I'm aware of sometimes they see these kids three or four times in a week, one kid. They work crazy hours, I'm aware of them being called out in the middle of the night, on weekends, on holidays (Christmas, Easter, Thanksgiving), it's a very unique department that needs to be reviewed keeping that in mind and all I'm asking is...I'm not saying in the end I won't support this, but just asking them to take one more look, look at this.

Alderman Lopez stated I truly believe that the due process has taken place and the HR director has fulfilled her duties and even with the rebuttal letter and as she has indicated of the number of youth that are serviced by that department and working with the system, I just don't know what else other than to go back and talk about this and talk about that that she should be back at 26...if we're going to get into personalities that's one thing and I don't want to get into personalities, I think the position has been classified properly with the expertise that we have and I'd like to move on it.

Mayor Baines stated I'm going to...

Alderman O'Neil interjected, your Honor, can I just...I need to respond to that. This has nothing to do with personalities. This has to do, in my particular case, of an understanding of what that department really does because I'm aware of young people that they've helped out as I'm sure you are. It's a very unique department that provides very unique services to the citizens of our City and has nothing to do with personalities and I've been fortunate...I've worked with people like Alderman Wihby in helping to create the Employee Assistance Program...for some reason, I think that's being missed here because there is a direct tie between the Employee Assistance Director and the Youth Services Director; that is how it was structured when it was set up. So, thank you, your Honor.

Mayor Baines stated we can entertain a couple more questions but I really think that people just decide how they want to go with this and vote.

Alderman Gatsas asked is there anybody else in that...how many other people are LADAC certified.

Ms. Lamberton replied there's one other employee that's LADAC certified.

Alderman Gatsas asked if we hire a director that is not LADAC certified and we lose that employee what kind of a problem does that cause?

Ms. Lamberton replied then presumably we would recruit at the direct service level for an individual with a LADAC.

Alderman Gatsas stated so you're recruiting at a lower level with more certification than the director would have.

Ms. Lamberton stated first of all we don't know who is going to be selected to be the director; that is an unknown factor at this point. All I'm saying is that you're limiting your applicant pool (a). (B) I asked the question about how many people were evaluated right now. A lot of the people that are being evaluated are being referred to us from the State because they did not have a LADAC person. We can just keep going here and how many of the children in the City of Manchester have been...this is a diversion program...these are for children that we're trying to keep them out of the court system, right.

Alderman Gatsas stated I'm well aware of the program.

Ms. Lamberton stated typically when there is a drug evaluation or alcohol evaluation it's usually voluntary unless it's ordered. Well, our children...

Alderman Gatsas asked how do we get that if we lose the one employee that's LADAC approved, how do we do that, we just leave that child in limbo hanging somewhere.

Ms. Lamberton replied no, at the time, if you didn't have an individual you could contract out just as other youth programs do.

Alderman Gatsas requested a roll call vote be taken.

Mayor Baines asked can we call...

Alderman Guinta interjected I'd like to make a quick comment. I would agree with Alderman O'Neil that this is something that we should take a serious look at and rather than act somewhat hastily tonight...I recognize that the committee did a lot of work on this issue but I think that before we go forward we should just consider it a little bit more and I would urge that everybody vote to wait on this.

Mayor Baines stated the HR Director and Chairman feel that they have done that.

Alderman Guinta stated there are other people on this Board who feel like...

Mayor Baines stated I agree with you I'm just saying that they've done that, I agree with you. Mayor Baines called for a roll call vote starting with Alderman Gatsas.

Alderman Gatsas stated if I was looking to vote that this position should stay at a 26, I would vote no at this point.

Deputy Clerk Johnson replied that is correct.

A roll call vote was taken on the motion to accept the report as amended.. Aldermen Gatsas, Guinta, Sysyn, Osborne, Pinard, O'Neil, DeVries, Smith, Thibault and Forest voted nay. Aldermen Lopez, Shea, Garrity and Wihby voted yea. The motion failed.

Alderman O'Neil moved to refer the report back to the Committee on Human Resources/Insurance. Alderman Smith duly seconded the motion. There being none opposed, the motion carried.

Nominations were then presented by Mayor Baines.

Airport Authority:

Steve Young to fill the unexpired term of Larry O'Neill, term to expire March 1, 2003; and
Albertine Morrisette to succeed Alice Monchamp, term to expire March 1, 2005.

Art Commission:

Al St. Cyr to fill the newly created seat on the Arts Commission, term o expire three years from the date of his confirmation.

Fire Commission:

Hector Velez to succeed August Fromuth, term to expire May 1, 2005/

Heritage Commission:

Kathleen Mirabile to fill the unexpired alternate term of Gregory Goucher, term to expire January 1, 2004; and
Elizabeth Larocca to succeed David Boutin as an alternate member, term to expire January 1, 2005.

Planning Board:

Chris Dodd to succeed tom Getz, term to expire May 1, 2005;
Raymond Clement to succeed David Boutin, term to expire May 1, 2005;
Todd Connors to succeed Chris Dodd, term to expire May 1, 2003; and
Steven Freeman to succeed Raymond Clement, term to expire May 1, 2004.

Per the rules of the Board, these nominations will lay over until the next meeting.

Conservation Commission:

Joanne O'Shaughnessy to fill the unexpired term of Jane Beaulieu, term to expire August 1, 2003.

Alderman Garrity moved to suspend the rules and confirm the nomination of Joanne O'Shaughnessy to fill the unexpired term of Jane Beaulieu as a member of the Conservation Commission, term to expire August 1, 2003. Alderman Smith duly seconded the motion. There being none opposed, the motion carried.

Fire Commission:

William Houghton to succeed himself, term to expire May 1, 2005.

Alderman Sysyn stated William Houghton was not present this evening as he is on the Superintendent Search Committee.

Alderman DeVries moved to suspend the rules and confirm the nomination of William Houghton to succeed himself as a member of the Fire Commission, term to expire May 1, 2005. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

Heritage Commission:

Maria Skaperdas to succeed herself, term to expire January 1, 2005;
Gregory Goucher (current alternate) to succeed Richard Thorner, term to expire January 1, 2005; and
Verna Perry (current alternate) to succeed Charles Goodwin, term to expire January 1, 2005.

Alderman Sysyn moved to suspend the rules and confirm the nominations to the Heritage Commission as outlined. Alderman Guinta duly seconded the motion. There being none opposed, the motion carried.

Personnel Appeals Board:

Jenny Stephen to succeed herself, term to expire March 2005.

Alderman Lopez moved to suspend the rules and confirm the nomination of Jenny Stephen to succeed herself as a member of the Personnel Appeals Board, term to expire March 2005.

8. Communication from Alderman O’Neil, Chairman of the Board, recommending that the Board appoint Alderman Shea to serve as the Aldermanic Representative to the Environmental Health Leadership Council concurrent with his term of office.

Alderman O’Neil moved to appoint Alderman Shea to serve as the Aldermanic representative to the Environmental Health Leadership Council concurrent with his term of office. Alderman Osborne duly seconded the motion. There being none opposed, the motion carried.

On motion of Alderman Smith, duly seconded by Alderman Thibault, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Baines called the meeting back to order.

OTHER BUSINESS

11. A report of the Committee on Finance was presented recommending that Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million Six Hundred Forty thousand Dollars (\$3,640,000) for the 2002 CIP 310402, School Capital Improvement Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the 2002 CIP 511402, Derryfield Park Rehabilitation Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) for the 2002 CIP 511502, School Site Improvements Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the 2002 CIPO 714202, Annual ROW Reconstruction Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thousand Dollars (\$200,000) for the 2002 CIP 714302, Bridge Rehabilitation Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thirty Thousand Dollars (\$230,000) for the 2002 CIP 714402, Sidewalk Improvement Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Six Hundred Thousand Dollars (\$600,000) for the 2002 CIP 811402, City Motorized Equipment Replacement Program.”

“Authorizing Bonds, Notes, or Lease Purchases in the amount of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000) for the 2002 CIP 811502 Municipal Facility Building Acquisition Project.”

“Authorizing Bonds or Notes in the amount of Nine Million Dollars (\$9,000,000) in furtherance of the Manchester Airport Capital Improvement Program.”

ought to pass and lay over and further that Resolutions:

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Five Million Nine Hundred Forty Thousand Dollars (\$5,940,000) to provide for expediting of various FY2003 proposed CIP Projects.”

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) for FY2002 CIP 811502 Municipal Facility Building Acquisition Project.”

ought to pass and be enrolled.

Alderman O’Neil moved to accept, receive and adopt the report of the Committee on Finance, Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

- 12.** Report of the Committee on Finance recommending that a request to expend \$6,000 from Civic Contributions towards payment of High School Graduations to be held at the Verizon Wireless Arena be granted subject to the review and approval of the City Solicitor.

Mayor Baines stated this has been reviewed by the City Solicitor, Mr. Arnold, would you like to report.

Deputy City Solicitor Arnold stated pursuant to Section 6.05 of the City Charter subsection (c) the Board may, by resolution, transfer unencumbered appropriation balance from one department or major organizational unit to another. So, yes, you may do this by resolution.

Mr. Sherman stated from the Finance perspective if we can get the bill sent to the City and we can pay this bill directly I guess our concern is that it doesn't look like a supplemental appropriation to School, so we'll talk to Tim and get the bill sent to the city and pay it directly and we'll pay it out of the civic contribution dollars.

Mayor Baines stated that is what I would recommend...to make it cleaner. What do we need to do, Carol, to make that understood?

Deputy Clerk Johnson replied a motion to accept the report with the understanding that that is where the funding will be taken from.

Alderman Shea moved to accept, receive and adopt the report of the Committee on Finance with the understanding that the money will come from the civic contributions account.

Alderman DeVries duly seconded the motion.

Alderman Guinta asked has there been any further discussion with respect to the money for athletics which pertained to this discussion, I think when we were here a couple of weeks ago?

Mayor Baines replied I think they're two separate issues...the athletic is under the control of the School District, their budget. We are making a civic contribution to open the arena to our high school graduations and my opinion is that that is a separate issue. How they fund athletics is a decision of the School Board with recommendations of their committees to the full Board of School Committee.

Alderman Shea stated I'd like to amend it that we do it just this one year.

Mayor Baines stated it would be for just this one year.

Mayor Baines called for a vote on the motion to accept the report. There being none opposed, the motion carried.

13. Resolutions:

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Five Million Nine Hundred Forty Thousand Dollars (\$5,940,000) to provide for expediting of various FY2003 proposed CIP Projects.”

“Amending the FY2002 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) for FY2002 CIP 811502 Municipal Facility Building Acquisition Project.”

On motion of Alderman Wihby, duly seconded by Alderman Thibault, it was voted to dispense with the readings of the Resolutions by titles only.

Alderman Pinard moved that the Resolutions pass and be enrolled. Alderman DeVries duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEM

On motion of Alderman Gatsas, duly seconded by Alderman Lopez, it was voted to remove item 14 from the table for discussion.

- 14.** Report of the Committee on Lands and Buildings recommending that the Welfare Commissioner be authorized to execute a lease agreement between the City of Manchester Welfare Department and Manchester Neighborhood Housing Services, Inc. for 22 units of space initiating July 1, 2002 at a cost not to exceed \$190,000.00 subject to the review and approval of the City Solicitor. The Committee notes that they have enclosed information relating to stipulations of the agreement and analysis conducted by the City Auditor.

Alderman Gatsas stated Alderman DeVries and I had a constructive meeting last week and I would have thought by now that we would have had an answer back...not that we negotiated for the full Board, but we reduced the number that I think the Board would be willing to look at versus some of the other situations to somewhere between \$110,000 and \$120,000...we didn't feel it was just for the Board to be carrying the debt service of the building next door because we were doing this one. I don't know if Alderman DeVries has anything.

Alderman DeVries stated I'm in agreement that we are waiting for Paul Martineau and the group to get back to us, but yes by breaking the two buildings apart on breaking up the debt service the number is reduced. They needed to clarify their ability to finance either the buildings independently and how they would do that with their own organization.

Alderman Guinta stated my understanding when NHS was here last that the purpose of purchasing the buildings together was...they were actually not capable of purchasing them independent of one another and that if that was the case the price would go up, so they're still going to purchase the two buildings.

Alderman DeVries stated if I recall they have some independent funding that they are looking to utilize, but that is the delay in them getting back to us at this point. They needed to clarify within their own Board how they might finance that.

Mayor Baines stated the Clerk has some information too.

Deputy Clerk Johnson stated only information in that Mr. Martineau did contact our office and advised that he was going to be reporting back to this subcommittee and was not expected to come back to this Board until the 21st and is waiting for some more information to come through.

Alderman Guinta stated also NHS is on a time table and it's a very short time table, so if we table this at what point would we be taking it up again.

Deputy Clerk Johnson replied May 21st.

Alderman Guinta stated I think they need an answer by May 22nd.

Deputy Clerk Johnson stated if there's a problem we would bring it to the Board sooner because you will be meeting for other things.

On motion of Alderman Thibault, duly seconded by Alderman Forest, it was voted to retable item 14.

NEW BUSINESS

Mayor Baines read a communication of his to the Board into the record:

I am asking the Board to provide a graduation gift to those graduating from Central, West and Memorial in coming weeks and to their family and friends to allow free-parking on the evenings of the graduation ceremonies at the Verizon Wireless Arena. Specifically, I am requesting that the committee consider the suspension of all metered and time parking regulations in the Central Business Service District from 5:30 PM until 9:30 PM on June 11, 12 & 13, 2002. Areas designated for resident parking only would not be impacted by this proposal.

Deputy Clerk Johnson stated to be technically correct because I did speak to a member of your staff regarding this and it's an issue that the Traffic Committee has to approve first in reality. But, what I would do is have the Board approve it, subject to Traffic Committee approval and I think we would meet State law requirements on that.

Alderman Forest moved to approve the Mayor's request, subject to Traffic Committee approval. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Alderman Wihby stated, your Honor, I spoke to you earlier this evening. I think it's time that we establish a new Charter Revision Commission and with that I move that the Board determine that there is a need to revise the existing Charter, adopt a new Charter and order that a Charter Commission be established under the provisions of RSA 49-B:31 and further

order that a special election be held on September 10, 2002 for the purpose of submitting the following question to the voters (and September 10th is the Primary date that we'd have, so it would be the same time as the Primary) and the question to be submitted to the voters would be:

“Shall a Charter Commission be established for the sole purpose of establishing official ballot voting under the current form of government?”

Alderman Wihby stated what this does, your Honor, is it does the same thing we did in 1995 and it meets the requirements of the City Charter that said that if we have periodic review every ten years...this will probably be done in eight years but it starts everything in motion and the voter will decide on September 10th whether or not they want to look at revising the Charter and from there you would have people put their names in and then there would be another election after that with the names of, I think, nine members.

Alderman Forest duly seconded the motion.

Mayor Baines stated Alderman Wihby did speak to me about that, I support that and it's a timely issue and I urge the Board to accept that.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Deputy Clerk Johnson wanted to note that there was something sent out to all members in the City and it's actually a Household Hazardous Waste date for this Saturday and I thought you might want to remind the public about that. It's this Saturday, May 11th from 9:00 AM to 2:00 PM at the Dunbarton Road Drop Off Facility and you can contact the Highway Department at 624-6444 with any questions.

There being no further business to come before the Board, on motion of Alderman Thibault, duly seconded by Alderman Smith, it was voted to adjourn.

A True Record. Attest.

City Clerk